

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JANE DOE,

Plaintiff,

-v-

BRETT KIMMEL et al.,

Defendants.
-----X

24-CV-3201 (JMF)

MEMORANDUM OPINION
AND ORDER

JESSE M. FURMAN, United States District Judge:

On April 26, 2024, Plaintiff filed a motion seeking to proceed under the pseudonym “Jane Doe.” *See* ECF Nos. 7 & 8. On April 30, 2024, the Court temporarily granted the motion, reserving judgment on whether to grant the motion on a more permanent basis and directing that any opposition to the motion be filed within two weeks of Defendants appearing in the Action. *See* ECF No. 11. All Defendants having appeared by June 11, 2024, *see* ECF Nos. 15 & 18, the deadline for any opposition to be filed was yesterday. No opposition was filed.

Accordingly, and upon consideration of the thorough materials submitted in support of Plaintiff’s motion, the motion is permanently GRANTED as unopposed and substantially for the reasons set forth in Plaintiff’s memorandum of law. *See* ECF No. 7. Specifically, the Court finds that, in light of the “highly sensitive and [] personal nature” of this case, *see Sealed Plaintiff v. Sealed Defendant*, 537 F.3d 185, 190 (2d Cir. 2008) (quoting *M.M. v. Zavaras*, 139 F.3d 798, 803 (10th Cir. 1998)), Plaintiff’s interest in anonymity strongly outweighs any prejudice to Defendants and the countervailing public interest in disclosing the identity of litigants, *see id.* at 189 (“[W]hen determining whether a plaintiff may be allowed to maintain an action under a pseudonym, the plaintiff’s interest in anonymity must be balanced against both the


public interest in disclosure and any prejudice to the defendant.”).

For one thing, as this Court has previously noted, many courts have held that “alleged victims of rape and sexual assault have a strong interest in proceeding anonymously.” *See Doe v. Kogut*, No. 15-CV-7726 (JMF), ECF No. 8 (Oct. 20, 2015) (citing, among other cases, *Doe No. 2 v. Kolko*, 242 F.R.D. 193, 196 (E.D.N.Y. 2006)). That interest is even stronger in cases where, as here, the Plaintiff “was a minor at the time of the alleged attack.” *See Doe v. Baram*, No. 20-CV-9522 (ER), 2021 WL 3423595, at *3 (S.D.N.Y. Aug. 5, 2021). Moreover, “while the public has a generalized interest in knowing who is seeking relief in its courts, the public has a stronger — and more particularized — interest in protecting the identities of alleged victims of sexual assault to encourage victims to come forward and report such crimes.” *Kogut*, ECF No. 8 (citing *Kolko*, 241 F.R.D. at 195096); *see also Doe v. Cruz*, No. 24-CV-989 (DEH), 2024 WL 1465928, at *2 (S.D.N.Y. Apr. 4, 2024).

In short, having balanced the interests at stake, the Court concludes that Plaintiff may proceed in this litigation under the pseudonym “Jane Doe.”

SO ORDERED.

Dated: June 26, 2024
New York, New York



JESSE M. FURMAN
United States District Judge